



Senate

General Assembly

January Session, 2005

File No. 150

Senate Bill No. 340

Senate, April 5, 2005

The Committee on Transportation reported through SEN. CIOTTO of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

**AN ACT CONCERNING THE WEIGHT LIMITS FOR TRANSPORTING
ETHANOL-BLENDED GASOLINE IN COMMERCIAL VEHICLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 14-267a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (e) No person shall operate any commercial motor vehicle, nor shall
5 the owner or lessee of any commercial motor vehicle allow such motor
6 vehicle to be operated, on any public highway or bridge, when the
7 combined weight of the vehicle and load exceeds the gross weight, as
8 registered with the Department of Motor Vehicles, of the tire capacity
9 or the axle load, except that (1) the gross vehicle weight shall not
10 exceed eighty thousand pounds, or as provided by statute, or, in the
11 case of a vehicle registered in any other state or country, as so
12 registered or provided in such state or country or as designated as
13 legal for a like motor vehicle of Connecticut registration, whichever is

14 the lesser, without a written permit from the Commissioner of
15 Transportation, which shall prescribe the condition under which such
16 vehicle shall be operated, and (2) a commercial motor vehicle
17 transporting ethanol-blended gasoline may exceed such weight limit
18 by not more than three per cent of such weight limit, provided the
19 weight of the commercial motor vehicle is permitted under 23 USC
20 127.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2005	14-267a(e)
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TRA *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Department of Motor Vehicles; Department of Transportation	TF - None	None	None

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

This bill would increase the gross vehicle weight, to up to 82,400 pounds instead of the 80,000 pounds maximum gross weight currently permitted under federal law, for ethanol-blended gasoline tankers. This increase, however, must be permitted under the federal-aid highway regulations.

Since federal law authorizes no more than 80,000 pounds gross vehicle weight and recognizes no "grandfather rights" for the state of Connecticut, the provisions in this bill can be effected only if the federal law is amended to permit a higher gross weight for these tankers

OLR Bill Analysis

SB 340

**AN ACT CONCERNING THE WEIGHT LIMITS FOR
TRANSPORTING ETHANOL-BLENDED GASOLINE IN
COMMERCIAL VEHICLES****SUMMARY:**

By law, no commercial motor vehicle may operate in Connecticut with a gross weight of more than 80,000 pounds unless it has a Department of Transportation-issued overweight permit. This bill allows a commercial motor vehicle transporting ethanol-blended gasoline to exceed this limit by up to 3% if this is permitted under the federal maximum truck weight law.

EFFECTIVE DATE: October 1, 2005

BACKGROUND***State and Federal Maximum Truck Weight Laws***

Connecticut's maximum truck weight law allows (1) a vehicle combination with four or more axles to have a maximum gross weight of 73,000 pounds when the distance between the first and last axles is at least 28 feet or (2) a gross weight of up to 80,000 pounds through application of the "federal bridge formula." The federal formula determines the maximum allowable gross weight based on the number of axles the truck has and the distance between the first and last axles (its wheelbase). Thus, to weigh up to 80,000 pounds under this formula, a four-axle vehicle would have to have at least 57 feet between its first and last axles while a five-axle vehicle would require only 51 feet between them.

Currently, federal law authorizes no more than 80,000 pounds gross weight on any vehicle. This weight must include all enforcement tolerances (23 U.S.C. § 127). However, federal law recognizes "grandfather rights" for states that permitted higher gross weights prior to passage of the federal law. Connecticut does not have grandfather rights for gross weights but has them for its axle weights, which are higher than the federal maximums. Federal law required

weight tolerances to be removed from state laws in 1994.

Each state must annually certify to the Federal Highway Administration that it is enforcing its vehicle size and weight laws on federally aided highways. The certification must include a statement that the state's size and weight laws and regulations governing use of the Interstate Highway System conform to federal law. If the state fails to make such certification, or if the federal highway administrator determines, despite the state's certification, that it is not adequately enforcing its laws, federal highway funds apportioned to the state must be reduced by 10% annually (23 CFR Part 657.13 et seq.).

COMMITTEE ACTION

Transportation Committee

Joint Favorable Report

Yea 28 Nay 0